



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER
UNITED STATES PATENT AND TRADEMARK OFFICE

ALEXANDRIA, VIRGINIA

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 2/12/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT

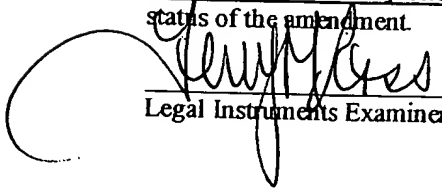
- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mailing of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time period is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136.**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliance with 37 CFR 1.121.


Legal Instruments Examiner (LIE)

(911) 272-1028
Telephone No.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kishima, K.

Serial No.: 09/943,832

Filed: August 30, 2001

For: OPTICAL RECORDING MEDIUM AND
ITS MANUFACTURING METHOD

Case No.: 09792909-5123

Group Art Unit: 1774

Examiner: Mulvaney, E. E.

Confirmation No. 2824

Certificate of Mailing (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:

Mail Stop - Non Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on:

Date of Deposit: March 30, 2004

Paula M. Theismann
Paula M. Theismann

3/30/04
Date

TRANSMITTAL LETTER

Mail Stop Non Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is a Response to Notice of Non-Compliant Amendment dated March 8, 2004 of Koichiro Kishima in the above-identified patent application.

Also enclosed are: Copy of Notice of Non-Compliant Amendment (2 pages); and
Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional fees required, as well as any patent application processing fees associated with this communication for which full payment has not been tendered, to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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1774

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Koichiro Kishima	ATTY. DOCKET NO. 09792909-5123
SERIAL NO.	09/943,832	GROUP ART UNIT: 1774
FILING DATE:	August 30, 2001	EXAMINER: E. E. Mulvaney
INVENTION:	"OPTICAL RECORDING MEDIUM AND ITS MANUFACTURING METHOD"	

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

(37 CFR 1.121)

Mail Stop: Non-Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

In response to the Notice of Non-Compliant Amendment dated March 8, 2004, Applicant respectfully resubmits "Amendments to the claims" as filed on February 9, 2004 in response to the first office action dated October 8, 2003.

In the corrected section to the amendment of claims, each claim is provided with the proper status identifier.